



March 27, 2025

The Honorable Sara Nelson, Chair
Governance, Accountability, and Economic Development Committee
Seattle City Council

The Honorable Robert Kettle, Vice-Chair
Governance, Accountability, and Economic Development Committee
Seattle City Council

RE: Statement in Support of Council Bill 120957

Dear Chair Nelson, Vice-Chair Kettle, and Members of the Committee,

Campaign Legal Center (“CLC”) respectfully submits this statement in support of Council Bill 120957, a proposal that would place a referendum before Seattle voters to renew and expand funding for the city’s trailblazing Democracy Voucher Program. CLC is a nonpartisan, nonprofit organization dedicated to protecting and strengthening democracy across all levels of government. Since the organization’s founding in 2002, CLC has participated in every major campaign finance case before the U.S. Supreme Court, as well as in numerous other federal and state court cases. Our work promotes every American’s right to participate in the democratic process.

CLC is a longtime proponent of public financing for campaigns in state and local elections, and we commend the Committee for considering Council Bill 120957. Public financing programs that empower everyday people to make meaningful contributions to candidates they support—like the Democracy Voucher Program—enhance the ability of individuals to meaningfully participate in election campaigns. The proposed referendum would ensure stable funding for the Democracy Voucher Program, which is essential to continuing the Program’s strong record of strengthening participation in Seattle elections.

The successes of the Democracy Voucher Program have made it a leading model for states and cities across the country. This statement highlights empirical and academic research demonstrating how Seattle’s program has helped increase

political participation, broaden the pool of candidates who seek public office, and reduce political corruption. We also discuss courts' long-standing approval of public financing as a tool to prevent corruption and strengthen participation in elections.

I. The Seattle Democracy Voucher Program demonstrates the benefits of small-dollar donor public financing in state and local elections.

Currently, over three dozen states, counties, and municipalities have enacted some type of public campaign financing for candidates, and the number continues to grow.¹ For example, in 2023, Denver, Colorado held its first election under the city's new small-dollar donor matching program,² and, just last year, the state of New York held its first elections under the state's new small-dollar donor matching program.³ Following the success of Seattle's Democracy Voucher Program, Oakland, California adopted a similar system to be implemented for the city's 2026 elections.⁴ The experiences of states and cities around the country demonstrate that public financing augments political participation among the electorate at large, increases electoral competition by encouraging more people to seek public office, and reduces opportunities for political corruption.

Seattle and the Democracy Voucher Program have led on innovation of public financing at the local level as the first municipality to adopt a voucher-based public financing program. With nearly a decade of elections, the efficacy of the Program in expanding citizens' engagement in the electoral process, boosting electoral competition, and decreasing candidates' dependence on large contributions is borne out by the data assessed by both the Seattle Ethics and Elections Commission and outside experts. Moreover, these successes are consistent with a substantial body of research assessing existing public financing systems more generally.

a. Expanding Citizen Participation in Elections.

Empirical evidence indicates that public financing fosters political engagement among a broader and more demographically representative portion of the electorate. By providing candidates with a direct incentive to maximize outreach

¹ See CATHERINE HINCKLEY KELLEY & AUSTIN GRAHAM, CAMPAIGN LEGAL CTR., *BUYING BACK DEMOCRACY: THE EVOLUTION OF PUBLIC FINANCING IN U.S. ELECTIONS 19-26* (2018), https://campaignlegal.org/sites/default/files/2018-10/2018-Building-Small-Dollar-Democracy_FINAL.pdf.

² See Kyle Harris, *Denver gave \$8M to political candidates in 2023. Now, it's considering changes*, DENVERITE (Dec. 18, 2024), <https://denverite.com/2024/12/18/denver-fair-election-fund-proposed-changes/>.

³ MARINA PINO ET AL., BRENNAN CTR. FOR JUST., *NEW YORK STATE'S PUBLIC CAMPAIGN FINANCING PROGRAM EMPOWERS CONSTITUENT SMALL DONORS* (2025), <https://www.brennancenter.org/our-work/research-reports/new-york-states-public-campaign-financing-program-empowers-constituent>.

⁴ Eli Wolfe, *Should Oakland allow for bigger political campaign contributions?*, OAKLANDSIDE (Sept. 20, 2024), <https://oaklandside.org/2024/09/20/should-oakland-allow-for-bigger-political-campaign-contributions/>.

to eligible residents as a potential source of meaningful contributions, voucher programs and small-dollar donor matching programs can galvanize campaigns' engagement of the electorate at large.

Following Seattle's enactment of the Democracy Voucher Program, local participation in the city's campaign finance system reached historic levels. In 2019, a total of 38,297 Seattle residents assigned Democracy Vouchers to city candidates, nearly doubling the 20,727 Seattle residents who assigned vouchers in the city's 2017 election.⁵ The use of vouchers, alone, represented a nearly three-fold increase over the number of contributors in Seattle elections from before the Democracy Voucher Program was implemented.⁶ The Program continues to foster participation in campaigns, with 48,021 residents assigning vouchers to city candidates in 2021 and 30,649 residents assigning vouchers in 2023.⁷ The swell in local participation facilitated by the Democracy Voucher Program is a citywide phenomenon, with residents of each of the city's council districts giving vouchers to candidates in every election cycle since the Program began.⁸

Beyond increasing the absolute number of local campaign contributors, the Democracy Voucher Program has helped to diversify Seattle's donor pool. According to an analysis of Seattle's 2017 elections, voucher donors were more socioeconomically representative of Seattle's electorate than monetary contributors,

⁵ JENNIFER HEERWIG & BRIAN MCCABE, MCCOURT SCH. OF PUB. POL'Y, GEORGETOWN UNIV., BUILDING A MORE DIVERSE DONOR COALITION 2 & n.5 (2020), <https://georgetown.app.box.com/s/r2skgxfnc230ukkb3dfqgm4576phzabd> [hereinafter DIVERSE DONOR COALITION].

⁶ Jennifer Heerwig & Brian McCabe, *Diversifying the Donor Pool: How Did Seattle's Democracy Voucher Program Reshape Participation in Municipal Campaign Finance?*, 18 ELECTION L.J. 323, 331 & n.15 (2019) (comparing 2017 voucher users to 2013 cash contributors).

⁷ SEATTLE ETHICS & ELECTIONS COMM'N, DEMOCRACY VOUCHER PROGRAM BIENNIAL REPORT 2021, at 10 (2021), https://www.seattle.gov/documents/Departments/EthicsElections/DemocracyVoucher/Biennial%20Reports/2021_Biennial_Report_FINAL.pdf; SEATTLE ETHICS & ELECTIONS COMM'N, DEMOCRACY VOUCHER PROGRAM BIENNIAL REPORT 2023, at 7 (2023), https://www.seattle.gov/documents/Departments/EthicsElections/DemocracyVoucher/Biennial%20Reports/2023%20Biennial_Report%20FINAL.pdf.

⁸ SEATTLE ETHICS & ELECTIONS COMM'N, DEMOCRACY VOUCHER PROGRAM BIENNIAL REPORT 2017, at 16 (2018), https://www.seattle.gov/documents/Departments/EthicsElections/DemocracyVoucher/Biennial%20Reports/Final%20-%20Biennial%20report%20-%202003_15_2018%280%29.pdf; SEATTLE ETHICS & ELECTIONS COMM'N, DEMOCRACY VOUCHER PROGRAM BIENNIAL REPORT 2019, at 16 (2019), https://www.seattle.gov/documents/Departments/EthicsElections/DemocracyVoucher/Outreach%20Fund/2019_Biennial_Report.pdf; SEATTLE ETHICS & ELECTIONS COMM'N, DEMOCRACY VOUCHER PROGRAM BIENNIAL REPORT 2021, at 12 (2021), https://www.seattle.gov/documents/Departments/EthicsElections/DemocracyVoucher/Biennial%20Reports/2021_Biennial_Report_FINAL.pdf; SEATTLE ETHICS & ELECTIONS COMM'N, DEMOCRACY VOUCHER PROGRAM BIENNIAL REPORT 2023, at 8 (2023), https://www.seattle.gov/documents/Departments/EthicsElections/DemocracyVoucher/Biennial%20Reports/2023%20Biennial_Report%20FINAL.pdf.

and voucher donors were more likely than monetary contributors to reside in low-income neighborhoods.⁹ Additionally, people of color comprised a greater proportion of voucher donors as compared to monetary contributors, and voucher donors closely resembled the demographics of voters in Seattle’s 2017 elections.¹⁰ In a subsequent study of Seattle’s 2019 elections, the use of vouchers continued to increase across all income groups and all racial groups.¹¹ Through the 2023 election cycle, voucher users continued to be “more representative of all Seattle voters than cash donors” across measures of income, gender, and race.¹²

Recent analyses also strongly suggest that the Democracy Voucher Program increases political participation beyond simply financing campaigns. A 2023 study showed that the Program led to a 9% increase in voter turnout over the course of Seattle’s last three election cycles.¹³ This significant finding builds on previous studies suggesting similar impacts on voter participation. The University of Washington’s Center for Studies in Demography & Ecology analysis revealed that Seattle residents who gave vouchers to city campaigns in 2017 were substantially more likely to vote on Election Day than residents who did not use their vouchers. Almost 90% of voucher donors voted in 2017, while only 43% of Seattle residents who did not use their vouchers cast a vote that year.¹⁴ Importantly, the amplified voter turnout was consistent even after controlling for residents’ voting history; among city residents who voted in less than half of the prior elections in which they were eligible, voucher donors were four times more likely to vote than city residents who did not return their vouchers.¹⁵ These findings strongly suggest that participation in the Democracy Voucher Program prompted greater engagement in the city’s electoral process more broadly.

Other small-dollar donor public financing programs have generated similar effects on participation. A study of New York City’s matching funds program found that 89% of the city’s census-block groups had at least one resident who gave a

⁹ Heerwig & McCabe, *Diversifying the Donor Pool*, *supra* note 6, at 332-33.

¹⁰ *Id.*

¹¹ DIVERSE DONOR COALITION, *supra* note 5, figs.2 & 3.

¹² JENNIFER HEERWIG & BRIAN MCCABE, GEORGETOWN UNIV., PARTICIPATION AND REPRESENTATION: RESULTS FROM THE SEATTLE DEMOCRACY VOUCHER PROGRAM IN 2023 (2024), <https://college.georgetown.edu/news-story/mccabe-voucher-23/>.

¹³ Sarah Papich, *Do Democracy Vouchers help democracy?*, CONTEMPORARY ECON. POL’Y, at 2 (2023), <https://doi.org/10.1111/coep.12625>.

¹⁴ JENNIFER HEERWIG & BRIAN MCCABE, UNIV. OF WASH. CTR. FOR STUDIES IN DEMOGRAPHY & ECOLOGY, EXPANDING PARTICIPATION IN MUNICIPAL ELECTIONS: ASSESSING THE IMPACT OF SEATTLE’S DEMOCRACY VOUCHER PROGRAM, fig.10 (2018), https://www.jenheerwig.com/uploads/1/3/2/1/13210230/mccabe_heerwig_seattle_voucher_4.03.pdf [hereinafter EXPANDING PARTICIPATION]. Evidence from other jurisdictions also indicates that public financing can reduce voter “roll-off,” the phenomenon of voters abstaining from voting in down-ballot races on Election Day. See MICHAEL G. MILLER, SUBSIDIZING DEMOCRACY: HOW PUBLIC FUNDING CHANGES ELECTIONS AND HOW IT CAN WORK IN THE FUTURE 77 (2013) (finding voter roll-off decreases about 20% in Connecticut elections with a publicly financed candidate).

¹⁵ EXPANDING PARTICIPATION, *supra* note 14, fig.10.

small-dollar contribution of \$175 or less to a city candidate in the 2009 municipal election.¹⁶ By way of comparison, individual contributions of \$175 or less to candidates for the New York State Assembly, which had not been eligible for matching funds,¹⁷ came from residents of only 30% of New York City census-block groups in 2010.¹⁸

Moreover, the same study determined census-block groups with at least one small donor of \$175 or less to a New York City candidate were statistically less affluent and more diverse than census-block groups with at least one large donor of \$1,000 or more, suggesting small-dollar matching helped to cultivate political participation among groups that are historically underrepresented in the campaign finance system.¹⁹ A separate analysis of New York City elections concluded that more than half of the individuals who made a campaign contribution during the 2013 city elections were first-time contributors, and 76% of these first-time donors made a small contribution of \$175 or less.²⁰

As the findings from Seattle and New York City demonstrate, public financing of elections can bring new and diverse donors into the campaign fold. Further, these experiences demonstrate that implementing a public financing system that responds to emerging campaign practices can both maintain the viability of the system and encourage more citizens to participate in our democracy.

b. Increasing Measures of Electoral Competition.

Empirical analyses similarly show that public financing emboldens more citizens to run for office and improves measures of electoral competitiveness. Candidates regularly cite the availability of public funding as a crucial factor in giving them the opportunity to enter elections and run competitive campaigns.²¹ A

¹⁶ ELISABETH GENN ET AL., BRENNAN CTR. FOR JUST., DONOR DIVERSITY THROUGH PUBLIC MATCHING FUNDS 10 (2012), http://www.brennancenter.org/sites/default/files/legacy/publications/DonorDiversityReport_WEB.PDF.

¹⁷ MARINA PINO ET AL., *supra* note 3.

¹⁸ ELISABETH GENN ET AL., *supra* note 16, at 10.

¹⁹ *Id.* at 14; *see also* ADAM LIOZ, DEMOS, STACKED DECK: HOW THE RACIAL BIAS IN OUR BIG MONEY POLITICAL SYSTEM UNDERMINES OUR DEMOCRACY AND OUR ECONOMY (2015), https://www.demos.org/sites/default/files/publications/StackedDeck2_1.pdf.

²⁰ N.Y.C. CAMPAIGN FIN. BD., BY THE PEOPLE: THE NEW YORK CITY CAMPAIGN FINANCE PROGRAM IN THE 2013 ELECTIONS 41 (2014), https://www.nyccfb.info/sites/default/files/pressfiles/2013_PER.pdf.

²¹ *See, e.g.*, NIRALI VYAS ET AL., BRENNAN CTR. FOR JUSTICE, SMALL DONOR PUBLIC FINANCING COULD ADVANCE RACE AND GENDER EQUITY IN CONGRESS, 10 (2020), https://www.brennancenter.org/sites/default/files/2020-10/FINAL%20-%20SDPF%20Could%20Advance%20Race%20and%20Gender%20Equity%20in%20Congress_10.15.2020_10AM_v2_0.pdf; *see also* CATHERINE HINCKLEY KELLEY ET AL., CAMPAIGN LEGAL CTR., DEMOCRATIZING THE DISTRICT: D.C.'S FAIR ELECTIONS PROGRAM IN 2020, 14 (2021), https://campaignlegal.org/sites/default/files/2021-10/CLC_DemocratizingTheDistrict%20%281%29.pdf.

2022 study of the Democracy Voucher Program specifically found “an 86% increase in the number of candidates per race” following the implementation of the Program.²² Moreover, the researchers found that, following the implementation of the Democracy Voucher Program, incumbent candidates received a smaller percentage of the final vote,²³ indicating that the Program attracts quality challengers to run for office.²⁴ These impacts are similar to those in other public financing programs. For example, upon taking effect in 2000, the Maine Clean Elections Act immediately increased the number of competitive candidates and decreased margins of victory in state senate elections in 2000 and 2002, as compared to state elections in 1994, 1996, and 1998, in districts where a non-incumbent candidate accepted public funding.²⁵

By reducing barriers to entry, public financing also increases opportunities for candidates from underrepresented groups or who lack access to deep-pocketed networks to run for office. Following the implementation of the Democracy Vouchers Program, Seattle elections saw a 25% increase in women running for city office.²⁶ This finding reflects similar successes in public financing programs across the country: Four years after Connecticut implemented a state program in 2008, representation in the state legislature grew for women and reached its highest levels for Latino representation.²⁷ Similarly, the number of Native American and Latino candidates nearly tripled after Arizona implemented its Clean Elections program.²⁸

A broader assessment of legislative elections in the states similarly identified a correlation between the availability of public financing, generally, and heightened competition in elections. According to an analysis of monetary competitiveness in 47 states’ elections between 2013 and 2014, only 18% of legislative races were competitive over that timeframe.²⁹ However, a substantially higher percent of

²² Alan Griffith & Thomas Noonan, *The effects of public campaign funding: Evidence from Seattle’s Democracy Voucher program*, 211 J. PUB. ECON. 104676, at 2 (2022), <https://drive.google.com/file/d/15CO4PkM0iU2wxocmkqEGBi3JSIZhrleg/view?usp=sharing>.

²³ *Id.* at 10.

²⁴ Jennifer A. Heerwig & Brian J. McCabe, *Democracy Vouchers and the Promise of Fairer Elections in Seattle* 45 (2024).

²⁵ Neil Malhotra, *The Impact of Public Financing on Electoral Competition: Evidence from Arizona and Maine*, 8 STATE POL. & POL’Y Q. 263, 275-77 (2008), <https://web.stanford.edu/~neilm/The%20Impact%20of%20Public%20Financing%20on%20Electoral%20Competition.pdf>.

²⁶ Heerwig & McCabe, *supra* note 24, at 46.

²⁷ J. MIJIN CHA & MILES RAPAPORT, DEMOS, FRESH START: THE IMPACT OF PUBLIC CAMPAIGN FINANCING IN CONNECTICUT, 13 (2013), <https://www.Demos.org/research/fresh-start-impact-public-campaign-financing-connecticut>.

²⁸ STEVEN M. LEVIN, CTR. FOR GOVERNMENTAL STUDIES, KEEPING IT CLEAN: PUBLIC FINANCING IN AMERICAN ELECTIONS, 7 (2006), <https://www.policyarchive.org/handle/10207/4523/>.

²⁹ Zach Holden, *2013 and 2014: Monetary Competitiveness in State Legislative Races*, NAT’L INST. ON MONEY IN POL. (Mar. 9, 2016), https://www.followthemoney.org/research/institute-reports/2013-and-2014-monetary-competitiveness-in-state-legislative-races#ftnref_4_link.

racess—41%—were monetarily competitive in the five states with public financing available to legislative candidates.³⁰ Further, three of the five *most* monetarily competitive states had established public financing for legislative candidates, while none of the five *least* monetarily competitive states offered public funds to candidates.³¹

c. Reducing Opportunities for Corruption.

A central goal of public financing systems is to reduce opportunities for corruption by enabling candidates to run competitive campaigns and win elected office without having to depend on large contributions. By increasing candidates' ability to rely on small contributions and public funds, these systems reduce the opportunity for corruption and the appearance that elected officials are beholden to major campaign donors.

Contribution data from Seattle elections demonstrates the Democracy Voucher Program's impact on reliance on large donors in local campaigns. An academic study of contributions made in Seattle's 2013 election, prior to the city's enactment of public financing, determined that "high-dollar donors" of \$500 or more provided nearly 40% of city council candidates' total campaign funding in 2013, even as these donors comprised only 9% of the overall donor pool in city council races.³² In Seattle's 2013 mayoral election, the impact of high-dollar donors was even more pronounced, with mayoral candidates raising, on average, 55% of their campaign funds from contributors of \$500 or more.³³

By comparison, Seattle candidates who participated in the Democracy Voucher Program in 2017, 2019, and 2021 were far less dependent on high-dollar donors.³⁴ As a condition of program participation, candidates were subject to a \$250 limit on monetary contributions.³⁵ In lieu of high-dollar donations, candidates in the 2017 city elections collectively raised 82% of their contributions from donors who gave \$199 or less.³⁶ Importantly, Seattle's subsequent election cycles demonstrated that the 2017 elections were not an outlier: In each subsequent election cycle from

³⁰ *Id.* tbl.2.

³¹ *Id.* tbls.3 & 4. Among the five states with the most monetarily competitive elections, Connecticut, Maine, and Minnesota offer public financing to legislative candidates. *Id.*

³² Jennifer Heerwig & Brian McCabe, *High-Dollar Donors and Donor-Rich Neighborhoods: Representational Distortion in Financing a Municipal Election in Seattle*, URBAN AFF. REV. 1, 16, 23 (2017).

³³ *Id.* at 18.

³⁴ See Alan Griffith & Thomas Noonan, *supra* note 22.

³⁵ SEATTLE ETHICS & ELECTIONS COMM'N, DEMOCRACY VOUCHER PROGRAM BIENNIAL REPORT 2017, at 18 (2018), https://www.seattle.gov/Documents/Departments/EthicsElections/DemocracyVoucher/Final%20-%20Biennial%20report%20-%202003_15_2018.pdf.

³⁶ SEEC Chart of 2017 City Elections Contributors, sortable by size and type, <http://web6.seattle.gov/ethics/elections/charts.aspx?cycle=2017&n1=contributions&n2=size&n3=groupings&n4=allcategories&n5=allcandidates&n6=number#aChartTop> (last visited Mar. 24, 2025).

2019 through 2023, candidates in Seattle elections collected 90% of their contributions from donors who gave \$199 or less.³⁷ Democracy Vouchers in Seattle markedly reduced the primacy of large contributions in Seattle elections—validating the anti-corruption interests the Program was intended to serve.

Other small-dollar donor public financing programs have shown similar impacts. A study of New York City’s long-running matching funds program found that the city’s implementation of multiple matching funds in 2001, providing at the time a 4:1 match for residents’ contributions of \$250 or less, significantly increased both the total number of small-dollar contributors to city candidates, as well as the proportional importance of these small-dollar contributors to competitive city council candidates participating in the matching funds program.³⁸ These effects were consistent across challengers, incumbents, and open-seat candidates.³⁹ After New York State implemented its own matching funds program in 2024, “about twice as many” New Yorkers made small-dollar in-district donations of \$250 or less as in 2020 or 2022.⁴⁰ Large donations—\$1,000 or more—from political committees and corporations “decreased from 70 and 72 percent of candidates’ funding in 2020 and 2022, respectively, to 38 percent in 2024.”⁴¹

In Washington, DC, the size of the average donation to city council candidates fell by about 50% after the city implemented its small-dollar matching program in 2020.⁴² In that election, candidates who participated in the program received 76% of their contributions from small-dollar donors who lived in the District; candidates who did not participate in the program relied more heavily on large donations, receiving only 27% of their contributions in small donations from DC residents.⁴³

³⁷ SEEC Chart of 2019 City Elections Contributors, sortable by size and type, <http://web6.seattle.gov/ethics/elections/charts.aspx?cycle=2019&n1=contributions&n2=size&n3=groupings&n4=allcategories&n5=allcandidates&n6=number#aChartTop> (last visited Mar. 24, 2025); SEEC Chart of 2021 City Elections Contributors, sortable by size and type, <http://web6.seattle.gov/ethics/elections/charts.aspx?cycle=2021&n1=contributions&n2=size&n3=groupings&n4=allcategories&n5=allcandidates&n6=number#aChartTop> (last visited Mar. 24, 2025); SEEC Chart of 2023 City Elections Contributors, sortable by size and type, <https://web6.seattle.gov/ethics/elections/charts.aspx?cycle=2023&n1=contributions&n2=size&n3=groupings&n4=allcategories&n5=allcandidates&n6=number> (last visited Mar. 24, 2025).

³⁸ Michael J. Malbin et al., *Small Donors, Big Democracy: New York City’s Matching Funds as a Model for the Nation and States*, 11 ELECTION L.J. 3, 9-10 (2012) http://www.cfinst.org/pdf/state/nyc-as-a-model_elj_as-published_march2012.pdf.

³⁹ *Id.*

⁴⁰ MARINA PINO ET AL., *supra* note 3.

⁴¹ *Id.*

⁴² KENAN DOGAN & BRIAN J. MCCABE, MCCOURT SCH. OF PUB. POL’Y, GEORGETOWN UNIV., *Expanding Donor Participation in the District: An Analysis of the Fair Elections Program in Washington, DC*, 1 (2021) https://mccourt.georgetown.edu/wp-content/uploads/2022/02/DC_Fair_Elections_Report_Sept2021_ACCESSIBLE.pdf.

⁴³ CATHERINE HINCKLEY KELLEY ET AL, *supra* note 21, at 11.

II. The Democracy Voucher Program protects against corruption and promotes First Amendment interests by facilitating participation in the electoral process.

Courts have long recognized that public financing of elections promotes core principles of our democratic system. In *Buckley v. Valeo*, the U.S. Supreme Court upheld public financing as a constitutional means “to reduce the deleterious influence of large contributions on our political process” and “to facilitate communication by candidates with the electorate.”⁴⁴ The Court expressly recognized that public financing is consistent with the First Amendment, describing the presidential public funding program as “a congressional effort, not to abridge, restrict, or censor speech, but rather to use public money to facilitate and enlarge public discussion and participation in the electoral process, *goals vital to a self-governing people*.”⁴⁵

Since *Buckley*, federal and state courts have continued to affirm the democratic value of public financing as a tool to prevent political corruption and to strengthen citizen engagement in elections.⁴⁶ Indeed, the Supreme Court of Washington upheld the Democracy Voucher Program as “directly” supporting the City of Seattle’s interest in giving “more people the opportunity to have their voices heard in democracy.”⁴⁷

In 2011, the Supreme Court again endorsed the constitutionality of public financing, even as it invalidated Arizona’s “trigger” provisions that gave publicly funded candidates additional public funds in direct response to opponents’ spending or independent expenditures.⁴⁸ In *Arizona Free Enterprise Club’s Freedom PAC v. Bennett*, the Court reiterated that “governments may engage in public financing of election campaigns and that doing so can further significant government interests, such as the state interest in preventing corruption.”⁴⁹ Thus, while it foreclosed the

⁴⁴ 424 U.S. 1, 91 (1976) (per curiam).

⁴⁵ *Id.* at 92-93 (emphasis added).

⁴⁶ See, e.g., *Republican Nat’l Comm. v. Fed. Election Comm’n*, 487 F. Supp. 280, 284 (S.D.N.Y. 1980) (“If the candidate chooses to accept public financing he or she is beholden unto no person and, if elected, should feel no post-election obligation toward any contributor of the type that might have existed as a result of a privately financed campaign.”), *aff’d.*, 445 U.S. 955 (1980); *Vote Choice, Inc. v. DiStefano*, 4 F.3d 26, 39 (1st Cir. 1993) (validating government interest in public financing “because such programs . . . tend to combat corruption”); *Rosenstiel v. Rodriguez*, 101 F.3d 1544, 1553 (8th Cir. 1996) (recognizing public financing reduces the “possibility for corruption that may arise from large campaign contributions” and diminishes “time candidates spend raising campaign contributions, thereby increasing the time available for discussion of the issues and campaigning”); *Green Party of Conn. v. Garfield*, 616 F.3d 213, 230 (2d Cir. 2010) (finding Connecticut program worked to “eliminate improper influence on elected officials”); *Ognibene v. Parkes*, 671 F.3d 174, 193 (2d Cir. 2011) (explaining that public financing system “encourages small, individual contributions, and is consistent with [an] interest in discouraging entrenchment of incumbent candidates”).

⁴⁷ *Elster v. City of Seattle*, 444 P.3d 590, 595 (Wash. 2019).

⁴⁸ *Ariz. Free Enterprise Club’s Freedom PAC v. Bennett*, 564 U.S. 721 (2011).

⁴⁹ *Id.* at 754 (internal quotation marks, brackets, and citation omitted).

release of public funds in *direct response* to private campaign spending, the Court declined to “call into question the wisdom of public financing as a means of funding political candidacy” or the constitutionality of these laws in general.⁵⁰

III. Conclusion.

CLC respectfully urges the Committee to support Council Bill 120957. The Council Bill’s proposed referendum would ensure that Seattle residents continue to see the broad benefits of increased participation in city elections, while upholding Seattle’s Democracy Voucher Program as a model across the United States. Thank you for the opportunity to submit this statement.

Respectfully submitted,

/s/

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⁵⁰ *Id.* at 753.